

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENTFORM APPROVED
OMB NO. 42-R1313TEMPORARY TRAMROAD RIGHT-OF-WAY
APPLICATION AND PERMITActs of January 21, 1895 (28 Stat. 635; 43 U.S.C. 956); June 9, 1916 (39 Stat. 218);
February 26, 1919 (40 Stat. 1179); August 28, 1937 (50 Stat. 874)

Right-of-way or Application No.

Date
January 25, 1978

SEE INSTRUCTIONS ON REVERSE

1. Name of individual, partnership, association, or corporation Ziegler Chemical & Mineral Corp.	Address (include zip code) P.O. Box 455 Great Neck, New York, 11021
Name of partners (if a partnership)	If a corporation, organized under the laws of the State of

Hereby applies for a right-of-way in the State of **Utah** to be used in connection with mining or quarrying, or of cutting timber, and manufacturing lumber, pursuant to the regulations contained in 43 CFR 2800. (This includes oil and gas, oil shale, geothermal steam, and similar activities.)

- 2a. If a partnership or association, are all citizens of the United States? ☐ Yes ☐ No
b. If an individual, are you a citizen? ☐ Yes ☐ No
(If unable to check either "yes" or "no" in 2a or 2b, explain)

3. Specify periods of time for which permit is requested for each portion of right-of-way

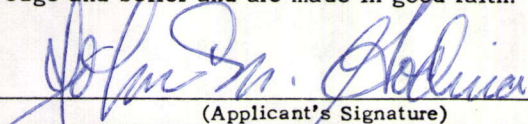
TOWNSHIP	RANGE	SECTION	SUBDIVISION	MERIDIAN	PERIOD OF TIME
10S	25E	20	SE $\frac{1}{4}$	SLM	6 months
10S	25E	21	NE $\frac{1}{4}$ SE $\frac{1}{4}$	SLM	6 months
10S	25E	22	S $\frac{1}{2}$	SLM	6 months
10S	25E	23	N $\frac{1}{2}$	SLM	6 months
10S	25E	14	W $\frac{1}{2}$ W $\frac{1}{2}$	SLM	6 months

4. Specify need for the right-of-way, or for each portion thereof, for the period indicated. (Include a listing of land owned or controlled by the applicant and which will be served by the right-of-way, or each portion thereof. Include also the estimated quantity of ore, timber, or other materials which will be hauled over the right-of-way, or each portion thereof. See attached description of lease. Road will be used for access for gilsonite mining & haulage. Estimated 48 tons of gilsonite per day (3 trips at 16 tons each) based on 250 operating days per year.

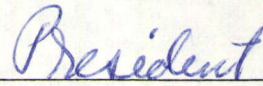
5. Are three (3) copies of a sketch map showing the location of the applied for right-of-way (required by Title 43 of the Code of Federal Regulations, Part 2811) attached? ☒ Yes ☐ No (If "yes," list)
1. Mining Plan - R.E. Covington, CPG #1705, Vernal, Utah
 2. State of Utah Notice of Intention to Commence Mining Operations (MF-Form 1)
 3. State of Utah Mining & Reclamation Plan
 4. Map, State Road Map, $\frac{1}{2}$ " / mile, showing proposed haulage road.

6. Is filing fee of \$10 attached? ☒ Yes (This fee is nonrefundable)

I CERTIFY That all of the statements made in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.



(Applicant's Signature)



(Title, if Corporate Official)

Title 18, U.S.C. section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

1. This form may be used in applying for temporary road rights-of-way for logging and mining, over and across vacant public lands administered by the Bureau of Land Management. (*Mining includes oil and gas, oil shale, geothermal steam, and similar activities.*)
2. Application must be prepared in triplicate. Type or print plainly in ink. File with officer in charge of any local office of the Bureau of Land Management having jurisdiction over the lands. It must be accompanied by three (3) copies of a map or sketch

which shows location of right-of-way with a degree of accuracy sufficient for its position on the ground in relation to lines and corners of the public land surveys or in relation to some prominent topographic feature, to be readily determined.

CAUTION

Unauthorized use of public lands prior to the grant of a right-of-way will constitute a trespass against the United States for which trespasser is liable in damages to the United States.

RIGHT-OF-WAY PERMIT

1. A tramroad right-of-way permit over and through the public lands shown on the attached sketch map is hereby granted to the applicant named herein; subject to valid existing rights, to

applicable regulations in 43 CFR 2800 (including, but not limited to, paragraphs 2801.1-5(a) to (m) inclusive, and Section 2802.3-1), and to the additional special stipulations below:

2. *Equal Opportunity Clause.* During the performance of this contract, the permittee agrees as follows:

a. The permittee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The permittee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The permittee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

b. The permittee will, in all solicitations or advertisements for employees placed by or on behalf of the permittee, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

c. The permittee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the permittee's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, as amended, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. The permittee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

e. The permittee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

f. In the event of the permittee's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part and the permittee may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

g. The permittee will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, as amended, so that such provisions will be binding upon each subcontractor or vendor. The permittee will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided, however,* That in the event the permittee becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the permittee may request the United States to enter into such litigation to protect the interests of the United States.

3. The right-of-way granted herein shall terminate on the _____ day of _____, 19____. The permit granted shall be revocable for any breach of condition thereof. The permit shall also be revocable at the discretion of the

Authorized Officer, at any time, if in his judgment the land should be devoted to other use. Within the discretion of the Authorized Officer, the permittee may be granted a single extension of the permit for a period of not more than six months.

(Date)

(Signature and Title of Authorized Officer)

FOR OFFICE USE ONLY

Bond in the amount of \$

has been furnished. Advance rental of \$

has been paid.